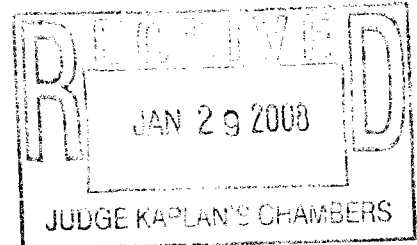


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| USDS, NY |
| DOCUMENT |
| ELECTRONICALLY FILED |
| DOC #: |
| DATE FILED: 1/31/08 |

-----X
Edward D. Fagan, :
Plaintiff, : 07-cv-10293 (UA)
- v - :
James F. Lowy et al :
Defendants :
-----X



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NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FRCP 41 (a) (1)

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Plaintiff Edward D. Fagan, in accordance with the provisions of FRCP 41 (a) (1) and prior to Defendants' filing and/or serving of an answer, motion for summary judgment or other responsive pleading, hereby voluntarily dismisses the above action, without prejudice, against all defendants.

Dated: 25 January 2008
New York, NY

A handwritten signature of Edward D. Fagan in black ink.

Edward D. Fagan
Five Penn Plaza, 23rd Floor, New York, NY 10001
Tel # (646) 378-2225 / Fax # (646) 304-6446
Email: ed.fagan@global-litigation-group.com
Plaintiff

MEMO ENDORSED

SO ORDERED
BY COURT

A handwritten signature of A. Kaplan in black ink.

A. KAPLAN, USDJ